

PORT OF KINGSTON

NOTICE OF INTENT TO OBTAIN CUSTODY

VESSEL “For Sail” VIN WN7387V

The Port of Kingston, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel *For Sail*, VIN WN-7387-V, on August 12th 2006. The vessel has been declared derelict/abandoned as it meets the definition of a derelict/abandoned vessel as described in RCW 79.100.010. Once custody is obtained, the Port of Kingston is authorized to use or dispose of it in any appropriate and environmentally sound manner without further notice to the owner.

In order for the owner to retain custody of the vessel, the owner must obtain authorization to moor or anchor the vessel in its current location, move it to an anchorage area or moorage facility that has authorized the vessel, or remove the vessel from the water.

If the owner wishes to redeem the vessel once the Port of Kingston has taken custody, per RCW 53.08.320 (5) the owner must commence a lawsuit to contest the Port of Kingston’s decision to take custody of the vessel, or the amount of reimbursement owed, in the superior court of the county in which the vessel was located. The lawsuit must be commenced within ten days of losing custody or the owner’s right to a hearing is waived and the owner will be liable for any costs owed to the Port of Kingston.

The costs the owner may be liable for include, but are not limited to, costs incurred exercising the authority granted in RCW 79.100.030, all administrative costs incurred by the Port of Kingston during the procedure set forth in RCW 79.100.040, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel.

For more information regarding this action, contact Tom Berry, Harbormaster, at (360) 297-3545.